

REMARKS/ARGUMENTS

This Amendment is submitted in response to the non-final Office Action dated March 17, 2009.

I. Introduction

Claims 1-10, 16-25 and 33-35 are pending in the application. Claims 22-25 have been amended. Claims 1-10, 16-22 and 33-35 are allowed. Claims 23-25 stand rejected under 35 USC §112, second paragraph.

As will be discussed below, all of the claims are definite and none of the pending claims are anticipated or rendered obvious by the applied references.

**II. The §112 Second Paragraph
Rejections have been Overcome**

In the office action the Examiner indicated that claims 23-25 were rejected under 35 USC §112 indicating that claims 20-22 depend from claim 19 while claims 23-25 depended from claim 18 rather than claim 19 as had been assumed. The Examiner notes that this creates an antecedent basis issue at least with regard to claims 24 and 25.

In response to the Examiner's comments, Applicant has reviewed claim 23 but has left the claim depending from claim 18 to avoid the claim becoming the same or similar to existing claim 22 which depends from claim 19. Applicant believes that there is no antecedent basis issue with claim 23 but has amended claim 23 to delete the text shown in brackets in claim 23 which was to be deleted in a September 7, 2001 amendment but remained in the claim do to an editing oversight. In view of the above, it is respectfully

submitted that claim 23 is definite and does not have an antecedent basis issue.

With regard to claims 24 and 25 the Examiner suggested that "a text to speech operation" should be "the text to speech operation". Applicant has amended claims 24 and 25 in accordance with the Examiner's suggestion thereby overcoming the §112, second paragraph rejection and putting the application in condition for allowance.

III. Dependent Claim 22 has been Clarified

In reviewing the claims Applicant's representative noticed that text which was to be deleted in a September 7, 2001 continued to be maintained in claim 22 and shown in brackets []. Applicant has deleted the bracketed text as was intended by the original September 7, 2001 amendment and the claim is indicated as being currently amended since the bracketed text was in the previous sets of claims. It is respectfully submitted that claim 22 remains patentable for the same reasons as allowed independent claim 19 from which it depends.

IV. Conclusion

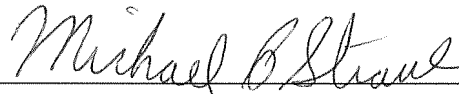
In view of the foregoing amendments and remarks, it is respectfully submitted that the pending claims are in condition for allowance.¹ Accordingly, it is requested that the Examiner pass this application to issue.

^[1] As Applicant's remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicant's silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, ability to combine references, assertions as to patentability of dependent claims) is not a

To the extent necessary, a petition for extension of time under 37 C.F.R. 1.136 is hereby made and any required fee in regard to the extension or this amendment is authorized to be charged to the deposit account of Straub & Pokotylo, deposit account number 50-1049.

Respectfully submitted,

March 19, 2009

A handwritten signature in cursive script, reading "Michael P. Straub", is written over a horizontal line.

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concession by Applicant that such assertions are accurate or such requirements have been met, and Applicant reserves the right to analyze and dispute such in the future.